

PAM BASSEL STANDING CHAPTER 13 TRUSTEE

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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

CASE NO.: 19-41557-MXM-13

DIANIRA LEE OTERO

9212 CURACAO DR
FT WORTH, TX 76123
SSN/TIN: XXX-XX-2493

EFRAIN PASTRANA ANDREU

9212 CURACAO DR
FT WORTH, TX 76123
SSN/TIN: XXX-XX-6635

DEBTORS

HEARING: JULY 20, 2023 AT 8:30 AM

MOTION TO DISMISS FOR FAILURE TO PROVIDE TAX RETURN, EXTENSION OR AFFIDAVIT

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

NOW COMES Pam Bassel Standing Chapter 13 Trustee, who files this Motion to Dismiss under 11 U.S. C. §§ 521 and 1307. The Trustee would respectfully show the Court:

1. Debtors have a duty to cooperate with the Chapter 13 Trustee under §521 (f).
2. On 2/8/23, Trustee mailed Debtors a Tax Year Reminder Notice requesting the Debtors' 2022 Tax Return (with Schedules 1, C, E, or F if filed), Amended Tax Return, Tax Extension, or a Tax Affidavit explaining that Debtor was not required to file a Tax Return.
3. To date, Debtors have not provided the requested documents. Therefore, the Trustee requests that the Court dismiss this case based on Debtors' failure to cooperate.

WHEREFORE, Trustee prays that this case be DISMISSED and for general relief.

Respectfully submitted,

By: /s/ Ethan S. Cartwright
Ethan S. Cartwright, Staff Attorney
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NOTICE OF HEARING

This matter will be called at the docket call on the date and time above in Room 128 at 501 W 10th Street, Fort Worth, Texas with a hearing following the docket call.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served on or before the date of filing. Service was accomplished electronically on Debtors' attorney and all parties entitled to electronic notice and by first class mail on the Debtors and the parties listed below, if any.

By: /s/ Ethan S. Cartwright
Ethan S. Cartwright

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